II

ADJOURNMENT MOTION *RE* THE EMPLOYMENT OF MR. NATARAJAN FOR WATCHING THE MILLS AND BUILDINGS OF THE CARNATIC PAPER MILLS.

Mr. SAMI VENKATACHALAM CHETTI :—"Sir, under Standing Order No. 20 I beg leave to make a motion for the adjournment of the business of the House to discuss a definte matter of urgent public importance, namely, the question of the employment of Mr. Natarajan on Rs. 650 per mensem for merely watching the machinery and buildings of the Carnatic Paper Mills." 12 noon.

Mr. G. HARISARVOTTAMA RAO :—"I second it, Sir."

The hon. the PRESIDENT :—"I wish to know what the urgency is?"

Mr SAMI VENKATACHALAM CHETTI :—"The whole question arose from the answers now given. We were not aware of the Government spending a sum of Rs. 650 on this appointment."

The hon. the PRESIDENT :—"That may be a recent event. I want to know the urgency of the matter."

Mr. SAMI VENKATACHALAM CHETTI :—"The urgency is that Government may take prompt action to stop further payment of money to Mr. Natarajan."

The hon. the PRESIDENT :—"Do you hope to convince the Government?"

Mr. SAMI VENKATACHALAM CHETTI :—"I hope so, Sir."

Mr. S. SATYAMURTI :—"At least the House."

The hon. Mr. M. R. SETURATNAM AYYAR :—"The Government see no urgency about the matter. In my opinion, the matter is not at all urgent. The Government have permitted Mr. Natarajan to supervise the mill and he has been working at it for more than a month. Therefore, the matter is not at all urgent."

Dr. B. S. MALLAYYA :—"This is the first time we meet after that arrangement. We want to know how the Government are interested in Mr. Natarajan."

The hon. the PRESIDENT :—"I think the motion is in order. The motion is to discuss a matter of urgent public importance, to wit, the employment of Mr. Natarajan on Rs. 650 per mensem for merely watching the mills and buildings of the Carnatic Paper Mills.

"Has the hon. Member the leave of the House?

"Since no objection is taken, the hon. Member has the leave of the House and it will be taken up to-morrow at 2-30 p.m."

III

THE JAINA SUCCESSION BILL.

Mr. K. R. KARANT :—"Mr. President, I beg to present the Report [a] of the Jaina Succession Bill as amended by the Select Committee and move that the Bill as amended be taken into consideration."

Mr ABDUL HAMID KHAN :—"I second it, Sir."

The hon. the PRESIDENT :—"The question is that the Jaina Succession Bill be taken into consideration."

[a] Printed as Appendix II at pages 259—261 infra.

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The motion was put to the House and carried.

* The hon. the PRESIDENT :—" I now put the clauses of the Bill to the vote of the House. The question is that clauses 1 to 6 of the Bill do stand part of the Bill."

The motion was put to the House and adopted.

* The hon. the PRESIDENT :—" I now put the Preamble to the vote of the House. The question is that the preamble do stand part of the Bill."

The motion was put and adopted.

* Mr. K. R. KARANT :—" I beg to move that the Bill be now passed into law. In making this motion I beg to say a few words. This is a piece of social legislation relating in my district to the community of Jains, which numbers at the last census only about 8,153. It has been the desire of this community that they should come under the ordinary Hindu law, whereas at present they are governed by a system of law known as the Aliyasantana law, by which the property goes from a person to his sister and sister's children and not to his wife or son. This is very similar to what is known as the Marumakkattayam law which is prevalent in Malabar. The community, Sir, has been agitating over this matter. Owing to this system they are not able to mix with other Jains in other parts of the country. The House is aware that the Jains in other parts of India are governed, at any rate, by case law and by the ordinary system of Hindu law. So far as case law goes including some decisions of the Privy Council, they are governed by the ordinary Hindu law. Now, they find that they are not able to marry outside their own district, with the result that there is a good deal of endogamy. We find that this small community were once the rulers of the district; even to-day, they are a very wealthy and landed community. I find from the travels of Buchanan in 1801, there were 14,092 Jains out of a total population of 3½ lakhs in the southern division of Kanara but we find a steady deterioration from 1801 up to now. In 1891 they were 10,000, i.e., a loss of 4,000 people, though the population in the district has been always increasing. In 1901, they were only 9,500; in 1911 they were 8,883 and in 1921 they were 8,000 out of a total population of 12½ lakhs. That is, in the course of a century and 20 years they have decreased in population from 14,000 to 8,000, that is very nearly half, with the result that the community has been so much agitated over this question that in 1918 they sent a memorial to the Government to pass some legislation by which they could be brought under the ordinary Hindu law. They also said . . ."

The hon. the PRESIDENT :—" I am afraid the hon. Member is not in order. At the third reading stage of the Bill he is making a speech appropriate at the first reading stage."

Mr. K. R. KARANT :—" Sir, then, I do not wish to take much time of the House, but I will only say that the community is very thankful to this House for the interest it has taken in this Bill and particularly to Government and more particularly to the hon. the Advocate-General who helped us very much during the Select Committee stage by his amendments. I hope that this House will pass this Bill into law without any dissent."

Mr. BASHEER AHMAD SAYEED :—" I second it, Sir."

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* The hon. the PRESIDENT :—" The question is that the Bill be passed into law."

The motion was put to the House and carried and the Bill was passed into law.

IV

A BILL TO AMEND THE MADRAS ABKARI ACT, 1886.

Mr. J. A. SALDANHA :—" Sir, I beg to present the Report [a] of the Select Committee appointed to consider the Bill to amend the Madras Abkari Act, 1886, and move that the Bill as amended by the Select Committee be taken into consideration."

Mr. P. C. VENKATAPATI RAJU :—" I second it."

* The hon. the PRESIDENT :—" The question is that the Bill be taken into consideration."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, the report of the Select Committee was circulated only on the 22nd November and there is also one other thing, Mr. President, i.e., that the Bill itself was published only in September and three months have to elapse under the provisions of Standing Order No. 41. I take objection, Mr. President, that fourteen days have not elapsed since the circulation of the report of the Select Committee and three months have not elapsed after publication of the Bill. I assure you, Sir, that it is not the object of the Government to put off the consideration of the Bill, and this may be put down for the next sittings. Moreover, I was informed by Mr. Saldanha that he wanted an adjournment."

* The hon. the PRESIDENT :—" I think Government have considered the expediency of raising this objection which is based on the non-expiry of three months time from the date of publication of the Bill and the absence of fifteen days notice of the Select Committee report. If the Government fully realized the expediency of raising the objection based on these grounds I should certainly consider whether I should exercise my discretion one way or the other."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Mr. President, the Government did consider and that is why the objection is being pressed now."

The hon. the PRESIDENT :—" What is the inconvenience to Government on account of short notice under both the heads? I ask for this information as I have to use my discretion after being convinced of the difficulties faced by Government."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" The difficulty faced by Government on this occasion is that the Select Committee's report was placed in our hands only on the 22nd and on enquiries made in the Legislative Council office as to whether this Bill would come up for discussion during this meeting, we were informed that the office had not heard anything about it. Of course, there is no rule which requires the author of the Bill to give such notice, but rightly or wrongly, we thought that, as the report of the Select Committee was circulated only on the 22nd, the Bill would not come up for consideration now. Moreover, there are some important points on which Government have to come to some conclusion and I was informed also this morning by the hon. the Mover that he wanted an adjournment."

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a Printed as Appendix III on pages 262-265 infra.